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Our Overburdened Prison System [Tim Lynch]

The vicious killing of the police officers in Tacoma, Wash., may well have political repercussions for Mike Huckabee, as others have noted here. The primary suspect is Maurice Clemmons, who in 1989 received a 95-year prison sentence that was later commuted, in 2000, by then-Governor Huckabee. Whenever Clemmons has been free, he seems to have perpetrated still more violent crimes, according to the news stories.

I would, however, caution against a blanket condemnation of pardons, as well as any hasty move to simply abolish parole. The American criminal-justice system is thoroughly swamped. Right now there are more than 7 million people under criminal-justice "supervision." About 2.5 million are behind bars, and about 4.5 million are on probation or parole. This system is greatly overburdened by non-violent drug offenders. Conditions vary by jurisdiction, but in general there is no prison space left. So it is unrealistic for us to say, "If a prisoner violates parole, send him back to jail immediately!"

Of course, there are sensible ways in which to "triage" our overburdened system. The priority ought to be keeping violent thugs like Clemmons behind bars, not sending drug offenders back to prison for failing urine tests. Arkansas and Washington officials who failed to comprehend this basic point should be condemned and held to account.

But that is not enough. Given the overall state of our system, I would stress these facts: (1) prison space is limited; (2) tens of thousands of prisoners are released from prison every year; and (3) even the best wardens and parole officers can't stop recidivists who are bent on a life of crime.

Bottom line: Take government officials to task for dumb calls. More important, let's get our dysfunctional system on a better track. That means giving up the futile drug war so that our limited resources (police time, court time, prison space, parole system) can focus on the violent offenders.

— *Tim Lynch is director of the Cato Institute's Project on Criminal Justice.*

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